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HON. SYLVIA O. HINDS-RADIX  
Corporation Counsel

THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

MARTHA NIMMER  
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January 12, 2023

**VIA ECF**

Hon. Mary Kay Vyskocil  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: *N.C. v. New York City Dep't of Educ.* 22-cv-9152 (MKV)(VF)

Dear Judge Vyskocil:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Hon. Sylvia O. Hinds-Radix, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.* ("IDEA"), as well as for this action.

Defendant respectfully requests an adjournment *sine die* of the phone conference currently scheduled for January 25, 2023, and instead respectfully requests that the parties be permitted to submit a joint status letter by April 25, 2023, either informing the Court of settlement or proposing a briefing schedule. This is the first request to adjourn the phone conference *sine die*. Plaintiff consents to these requests.

The requested adjournment will allow Defendant time to review Plaintiffs' billing records, prepare a request for settlement authority to the Office of the New York City Comptroller, and then make an initial settlement offer to Plaintiff. The parties are confident that this matter can be resolved without further burden on the Court's time.

Accordingly, Defendant respectfully requests that the January 25, 2023 conference be adjourned *sine die*, with a status letter due by April 25, 2023.

Thank you for considering these requests.

Respectfully submitted,

/s/


Martha Nimmer

Special Assistant Corporation Counsel

cc: Noelle Boostani, Esq. (via ECF)

**GRANTED. The Conference scheduled for January 25, 2023 is hereby adjourned sine die. The parties shall file a joint status letter by April 25, 2023. SO ORDERED.**

Date: 1/17/2023  
New York, New York

  
Mary Kay Vyskocil  
United States District Judge